

was that I really was looking back over the McCain letter, and as to whether or not it could be characterized” as a false statement.<sup>641</sup>

By Oct. 30, when Babbitt testified before the Senate Committee on Governmental Affairs, the Committee had taken testimony already in the form of sworn depositions from Paul Eckstein and five current and former DOI employees – Michael Anderson, Thomas Collier, Ada Deer, John Duffy and Heather Sibbison – regarding the Hudson decision. The Committee also had taken sworn testimony from certain current or former White House employees, including Harold Ickes and Jennifer O’Connor, and individuals employed by the DNC or associated with its fund-raising, including Donald Fowler and David Mercer.

Eckstein testified again, this time before the full Committee, immediately preceding Babbitt. The areas of dispute between Eckstein’s and Babbitt’s versions of their meeting had by this time been well-defined in the letters from the Secretary and Eckstein’s affidavit in the civil litigation. Ickes had already denied under oath that he personally contacted Babbitt or anyone else at Interior, or communicated to Interior any position with respect to the timing or outcome of the Hudson decision. Similarly, Fowler had denied any knowledge that Ickes had intervened in or advocated a position regarding the Hudson matter to Babbitt or any Interior personnel, and had denied that he personally contacted Babbitt on the matter.

In sworn testimony in this investigation, Babbitt stated that his mindset while testifying before the Senate Committee was that they were trying to make a case on him based on the

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<sup>641</sup>*Id.* at 256.